

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CONSOLIDATED RAIL
CORPORATION,

Plaintiff,

v.

WEST JEFFERSON
RAILROAD COMPANY,

Defendant.

Case No. 2:15-cv-12828
District Judge Victoria A. Roberts
Magistrate Judge Anthony P. Patti

SCHEDULING ORDER

The parties' cross motions for summary judgment (DE 27 and 31) came before me for a hearing on April 20, 2017, during which I set the following schedule for follow-up and supplemental briefing:

- On **MAY 9, 2017**, I will meet counsel for both parties at 10:00 A.M. at 1650 West Jefferson, Trenton, Michigan, 48183, in order to view the site of the track at issue.
- **ON OR BEFORE MAY 12, 2017**, the parties shall submit a joint statement, limited to 15 pages, listing: 1) the material facts that they agree are undisputed; and, 2) the material facts that are disputed, along with record

citations to the evidence which supports their contentions as to those facts which they believe to be in dispute.

- **ON OR BEFORE MAY 12, 2017**, the parties shall, jointly or separately, file a notice on the docket indicating whether they agree to convert the currently pending motions for summary judgment to a trial on the briefs.

See Fed. R. Civ. P. 39.

- Finally, the parties are reminded that, per Judge Roberts' August 11, 2015 notice,

[a] United States Magistrate Judge of this Court is available to conduct all proceedings in this civil action in accordance with 28 U.S.C. § 636c and FRCP 73. The Notice, Consent, and Reference of a Civil Action to a Magistrate Judge form is available for download at <http://www.mied.uscourts.gov>.

IT IS SO ORDERED.

Dated: April 25, 2017

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

I hereby certify that a copy of the foregoing document was sent to parties of record on April 25, 2017, electronically and/or by U.S. Mail.

s/John Purdy
Deputy Clerk